

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MONTEZ LAMAR FULLER,)	
)	
Petitioner/Defendant,)	
)	
v.)	Civil No. 10-267-DRH
)	
UNITED STATES OF AMERICA,)	
)	
Respondent/Plaintiff.)	

ORDER

Before the Court is petitioner Montez Lamar Fuller's Motion to Respond to the Governments [sic] Response to Petitioners [sic] 2255 Petition (Doc. 12). For the reasons set forth below, the motion is DENIED.

Petitioner requests this Court issue a date by which petitioner shall reply to the government's response. Although petitioner is pro se, court rules apply to him. Ordinarily this Court does not advise parties of the applicable rules; it is expected that all parties check the rules for themselves, and petitioner is responsible for checking the library in his institution for the rules. Nevertheless, the Court directs petitioner's attention to Local Rule 7.1(c), which states in part:

Reply briefs, if any, shall be filed within **14 days** of the service of a response. **Reply briefs are not favored and should be filed only in exceptional circumstances.** The party filing the reply brief shall state the exceptional circumstances. Under no circumstances will sur-reply briefs be accepted. If a party believes it is necessary to supplement its brief with new authority due to a change in the law or facts that occurred after the filing of its brief, the party must seek leave of court to file a supplemental brief. The supplemental authority shall be filed in accordance with the supplemental authority provisions found in Federal

Rule of Appellate Procedure 28(j).

(emphasis in original).

It is further noted that whatever materials or information petitioner has is what he has to respond to the government's Response to Petitioner's Section 2255 Motion.

IT IS SO ORDERED.

Signed this 10th day of May, 2011.



Digitally signed by
David R. Herndon
Date: 2011.05.10
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**Chief Judge
United States District Court**